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04-7984
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July 12, 2004

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RE: Docket # 04-7984

SAPAA requests that this commentary replace our original submission that was forwarded to you on 7/12/2004.

The Substance Abuse Program Administrators Association (SAPAA) appreciates the opportunity to submit comments in reference to Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Mandatory Guidelines for Federal Workplace Drug Testing Programs, Revised Mandatory Guidelines.

SAPAA is a non-profit trade association whose members represent all of the alcohol and drug testing arena, both providers of services and end-users of services. Many of our members currently service federal drug and alcohol testing programs or have bona fide contracts to provide drug and alcohol testing programs or products to federal agencies. Those who service federal programs include MROs, TPA's, SAP's and Collection sites. SAPAA also represents a major number of companies who provide or service programs regulated by the DOT. Therefore, SAPAA has a vested interest in the proposed revised mandatory guidelines, which incorporates alternative technologies.

After a considerable effort to poll our members and to enter into dialogue with other associations within our industry we found the following:

1. Everyone agrees that the time for alternative testing has come. No one disagrees. So there is consensus in this one point.
2. Everyone agrees that the paperwork estimate and the cost estimate as prepared by SAMHSA is unrealistic.
3. The regulation as written has obvious flaws as

well as being too cumbersome and too difficult.

SUBSTANCE ABUSE PROGRAM ADMINISTRATORS
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4. The lack of consensus comes when trying to agree on how to implement all alternative technologies in the same manner; in how to certify and control IITFs and/or collections sites and who should be responsible for such certifications.
5. That alternative technologies are at about the same level as urine was in 1989 with improvements to come as they are utilized.
6. That not enough expertise was utilized in the promulgation of the administrative and implementation systems proposed for utilizing alternative testing.

Therefore, SAPAA adamantly recommends

- 1 That this rule be withdrawn and reissued in five separate parts: urine, sweat, hair and oral fluids; and the establishment of an IITF program.
2. That industry experts from the MRO, collection site and TPA be included in a panel to discuss and prepare administrative and implementation systems for each rule. That this could be in the form of an "Industry Conversation" such as SAPAA hosted several years ago. That SAPAA would be glad to work with SAMHSA to gather such groups. That this could be funded through the SAMHSA grant program.
3. That a strict timetable be formulated.
4. That other industry groups be included in the makeup of the conversations/consensus panels

Thank you for this opportunity to comment. If you have any questions or desire additional information, please do not hesitate to contact our President or myself.

Sincerely,

Jeffrey Morrison
Executive Director
jm.morrison@verizon.net

From: "Allison Arms" <AllisonA@psychemedics.com>
To: <wvogl@samhsa.gov>
Date: 7/14/04 12:38PM
Subject: Comment

Dr. Vogl,

Once again you have received comments from SAPAA purporting to represent the membership of SAPAA. Once again, I have the embarrassing obligation of advising that these comments were not reviewed by the entire Board, nor have they been shared with or reviewed by the membership as a whole. (Some Board members have not seen either document coming from this organization) This replacement set of comments was obviously thrown together after the due date of July 12 and, in view of the lack of participation or review by either the membership or Board as a whole, I do not believe any truthful assertion can be made other than that the views expressed represent the thinking of some Board members. If my name is on the letterhead of the document you received from SAPAA, I insist that a disclaimer be inserted that the views presented do not necessarily reflect the opinion of the membership, or Board members listed.

Allison Arms
SAPAA Board Member